

## Department of Planning and Zoning

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**TO:** Planning Commission Ordinance Committee  
**FROM:** Scott Gustin  
**DATE:** November 5, 2015  
**RE:** Potential revisions to Institutional zoning standards

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At their October 6, 2015 meeting, the Planning Commission Ordinance Committee discussed potential changes to the institutional zone as proposed by Frank von Turkovich in a September 24, 2015 memorandum. The proposed changes included revisions to dimensional, density, and use provisions. Following discussion of these proposed changes, the Ordinance Committee requested a staff recommendation relative to the proposed use and height changes. The Committee felt that the other proposed changes were unwarranted.

As stated in the Comprehensive Development Ordinance, the institutional district is intended primarily for the city's major educational and health care institutions. The district is intended to also support a broad range of related uses reflecting the resident institutions' role as regional educational, health care, cultural and research centers. It allows for an increased development scale and intensity than would typically be found in the adjacent residential districts to support continued growth and flexibility of these institutions within their respective institutional missions. New development is intended to be sensitive the historic development pattern of the existing campuses as well as the surrounding residential neighborhoods.

Within the institutional zoning district, there are a number of core campus overlays. These overlays identify specific areas within the institutional properties that are appropriate for increased density and intensity of use. They are intended to provide opportunity for institutional growth without intrusion into surrounding neighborhoods by affording greater allowance for building height, size, and lot coverage.

Most of the institutional zone is bordered by residential zones, primarily the low density residential zone. The present dimensional standards largely mirror those for the medium density residential zone. Logically, these moderate dimensional standards enable consistent intensity in development, or a modest increase in intensity, as compared to adjacent residential zones. The requested increase in height to 45' (from the existing 35' limit) would enable additional intensity of development across the institutional zone and runs contrary to the policy behind the established core campus overlays. It also moves away from the requirement that sensitive transitions be provided between adjacent smaller scale residential areas and larger scale institutional development.

The proposed use changes include "bakery – retail," "bar – tavern," "convenience store," "office – general," and "restaurant." In all cases, these uses are presently prohibited. The proposal is to make all of them conditional uses in the institutional zone. Insofar as most of these uses could reasonably be construed as supportive amenities to institutional employees and students and that

most of them are already part of the institutions' overall mix, most of these uses could reasonably be allowed as conditional uses. The exceptions are general offices and bars.

Office use is part of the overall mix of the institutions in place already. These offices are part of the institutions and are an important part of the day-to-day administration of the institutions. The proposal includes allowing general offices as stand-alone uses. It is hard to imagine how an office unrelated to any of the institutions could be construed as consistent with the intent of the institutional zone. The institutional zone allows uses beyond just hospitals and post-secondary schools, but those uses are complimentary to or related to the primary institutional uses. We also do not want to bleed away demand for office use in our downtown and neighborhood activity centers.

Allowing bars in the institutional zone seems to be an inherently bad idea. While they could well be patronized by institutional students and employees, bars commonly generate well-documented offsite impacts on neighboring properties. Allowing bars in the institutional zone seems to be an invitation to conflicts about noise, unruly behavior, and related effects particularly where located in close proximity to residential neighborhoods.

The institutional zone as it is presently construed allows for moderately intense development. It acknowledges the need for the institutions to build at a density that may be somewhat greater than the residential zones while limiting potential impacts on surrounding neighborhoods. Within the core campus overlay zones, institutions are afforded much greater opportunity for intensified development. Allowing an increased height limit across the zone is inconsistent with the balance achieved between the institutional district generally, its core campus overlay zones, and surrounding neighborhoods. Similarly, the uses allowed within the institutional zone should be supportive of the institutions. Staff recommends the following:

- Reject the proposed height increase to 45 ft.
- Reject the proposed conditional use allowance for bars and general offices.
- Accept the proposed conditional use allowance for retail bakeries, restaurants, and convenience stores.

If the Ordinance Committee accepts these recommendations, ordinance amendment language can be drafted and forwarded to the full Planning Commission for their consideration.